

Remarks

I. Introduction

This is in response to the Office Action dated January 12, 2005. The Office Action rejected claims 27, 28, 30-33, 44 and 45 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,215,858 (Bartholomew et al.). Claims 1, 4-14, 17-23, 25 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,719,872 (Dubberly et al.) in view of Bartholomew et al. Claims 11 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dubberly et al. in view of Bartholomew et al.

Applicants traverse the rejections.

Claims 1, 4-14, 17-28, 30-33, 44 and 45 are currently pending and remain for consideration.

II. All Pending Claims are Allowable Over the Cited Art

Independent claims 1 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Dubberly et al. in view of Bartholomew et al. Both independent claims 1 and 14 are distinguishable over Dubberly et al. and Bartholomew et al. as follows. Claims 1 and 14 contain limitations directed to the processing unit providing a greeting and routing a received signal to one of the multiple ports which has been selected by an end user using the greeting. The Office Action, in rejecting claims 1 and 14, admits that Dubberly et al. does not disclose this aspect of the invention, and relies on Bartholomew et al. as disclosing this aspect of the invention. However, Bartholomew et al. does not supply the missing disclosure.

More particularly, the Office Action cites Bartholomew et al. at column 18, lines 3-18 and col. 17, lines 3-23 as disclosing this aspect of the invention. However, the cited portion of Bartholomew et al. does not disclose the claimed subject matter. First, col. 18, lines 3-18 is directed to the procedure when a connected voice processing unit in the voicemail system does not store the required outgoing message. That cited portion of

Bartholomew et al. then goes on to describe a process for transferring the personalized components of a message from one voicemail unit to another via a data network. Col. 17, lines 3-23 of Bartholomew et al. is directed to the information provided when a central office switching system forwards a call to the voice mail system. There is no disclosure in either of the cited paragraphs of an end user selecting one of multiple ports using a provided greeting. Nowhere in the cited sections is there any disclosure of an end user making any type of selection. If the Examiner persists in this rejection, Applicants respectfully request that the Examiner explain how the cited portions of Bartholomew et al. disclose a processing unit providing a greeting and routing a received signal to one of the multiple ports which has been selected by an end user using the greeting, so that Applicants may fully respond to any further rejection.

The only explanation provided by the Office Action in connection with this rejection is the statement that “the claimed designation element corresponds to directory number or called number.” However, this statement does not provide support or explanation as to how the cited portions of Bartholomew et al. disclose the claimed subject matter.

Since neither Dubberly et al. nor Bartholomew et al. disclose providing a greeting and routing a received signal to one of the multiple ports which has been selected by an end user using the greeting, a combination of the two references does not result in a system containing each element of claims 1 and 14. As such, claims 1 and 14 are not obvious in view of the cited art. Allowance of claims 1 and 14 is therefore requested.

Independent claim 27 was rejected under 35 U.S.C. §102(e) as being anticipated by Bartholomew et al. In order for a claim to be anticipated under 35 U.S.C. §102, **each and every** limitation of the claim must be found either expressly or inherently in a single prior art reference. PIN/NIP, Inc. v. Platte Chem. Co., 304 F.3d 1235, 1243 (Fed. Cir. 2002). In the present case, Bartholomew et al. does not show each and every limitation of claim 27. Therefore, applicants request the withdrawal of the rejection under 35 U.S.C. §102(e).

First, claim 27 is directed to “[a] method of associating a directory number with multiple ports on an end user interface located at a customer premises, in a broadband communication system supporting Internet Protocol telephony service”. Bartholomew et

al. does not disclose “an end user interface” which is “located at a customer premises” as claimed. The Office Action, in addressing this limitation, cites Bartholomew et al. at col. 14, lines 53-62 and col. 28, lines 27-36 and states that “the claimed end user interface reads on multi-services platform”. The only customer premises equipment disclosed in the cited sections of Bartholomew et al. are telephone station sets 131 to 133. As shown in Fig. 5, these telephone sets are connected an end office switching system 110, which is clearly not located at a customer premises, but instead is part of the telephone network infrastructure. Bartholomew et al. at col. 14, lines 53-62 clearly indicates that the end office switching system is a “standard central office telephone switch” which, as is extremely well known in the art, is part of the telephone network, and not located at a customer premises. Further, the statement in the Office Action that “the claimed end user interface reads on multi-services platform” is incorrect, because the multi-service platform 153 disclosed in Fig. 5 of Bartholomew et al. is clearly within the telephone network, and not located at the customer premises. For these reasons, Bartholomew et al. cannot anticipate claim 27 under the strict anticipation standard of §102.

In addition, for the reasons discussed above in conjunction with claims 1 and 14, Bartholomew et al. does not disclose “selecting a port using said greeting” and “directing said incoming call to said selected port”. For these additional reasons, claim 27 cannot be anticipated by Bartholomew et al.

For the reasons discussed above, independent claims 1, 14 and 27 are allowable over the cited references. All remaining dependent claims depend from an allowable independent claim and are therefore also allowable. In addition, the dependent claims recite additional allowable subject matter as follows.

Claims 44 and 45 were added by amendment in the prior Amendment. These claims add the limitation of “wherein said end user interface is located at a customer premises” to independent claims 1 and 14 respectively. For the reasons discussed above in connection with independent claim 27, Bartholomew et al. does not disclose an end user interface located at a customer premises. As such, claims 44 and 45 cannot be anticipated by Bartholomew et al.

Dependent claims 4-6 are directed to aspects of the invention in which the processing unit provides a message after the greeting, where the greeting and message are

customized, and where multiple greetings and messages are stored. The Office Action does not address these limitation and as such, has failed to make a prima facie showing of obviousness with respect to these claims. As such, Applicants request withdrawal of the §103 rejection with respect to these claims. If the Examiner persists in the rejection of claims 4-6, Applicants request a particular application of the cited references to the limitations of claims 4-6.

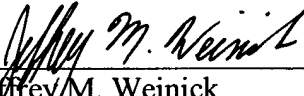
Dependent claims 7, 8, 20 and 21 are directed to an aspect of the invention in which an end user device provides a distinctive alert or ring. The Office Action cites Dubberly et al. at col. 30, lines 32-40 and lines 56-67 as disclosing this limitation. This section of Dubberly et al. discloses an alarm condition which may result in response to an interruption of the coaxial cable (e.g., a cut in the cable) to a particular subscriber's equipment. This does not disclose the claimed subject matter of distinctive alerting or ringing. In fact, if the cable to the customer premises was cut or interrupted, then there would be no way to signal a distinctive alert or ring to the customer premises. Therefore, claims 7, 8, 20 and 21 are allowable over the cited references.

Dependent claims 9 and 22 are directed to an aspect of the invention in which an end user device displays or announces an identity of a port selected by the end user. The Office Action cites Dubberly et al at col. 16, lines 42-48 as disclosing an end user interface and Bartholomew et al. without citation as disclosing displays. However, the mere disclosure of an end user display does not render the claimed subject matter of an end user interface displaying or announcing an identity of said one of said multiple ports selected by said end user. The cited references do not disclose this aspect of the invention and the Office Action has failed to cite particular sections of the cited references which would render the limitations of claims 9 and 22 as unpatentable.

III. Conclusion

For the foregoing reasons, reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,



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